

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ZAKUNDA-ZE HANDBERRY, *et al.*,

Plaintiffs,

-against-

WILLIAM C. THOMPSON, *et al.*,

Defendants.  
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**CITY DEFENDANTS' NOTICE  
OF MOTION**

96 Civ. 6161 (GBD)

**PLEASE TAKE NOTICE** that upon the Third Report on the Status of Education Services for Youth Aged 16-21 at Rikers Island, revised July 2, 2018, by Special Master Dr. Peter Leone ("Third Report"; Docket No. 273-2), the Declaration of Tonya Threadgill, with exhibits, dated December 18, 2018, being filed herewith, the Order dated March 31, 2016 ("Order"; Docket No. 250), the City Defendants,<sup>1</sup> by their attorney Zachary W. Carter, Corporation Counsel of the City of New York (Janice Birnbaum, appearing) will move this Court, at the United States District Courthouse for the Southern District of New York, 500 Pearl Street, New York, New York, 10007, at a date and time to be determined by the Court, for an order confirming and adopting Dr. Leone's findings of substantial compliance during the period covered by the Third Report as to (1) adolescent eligible inmates (all paragraphs of the Order); (2) the New York City Department of Education (all paragraphs of the Order); and (3) City Defendants as to paragraph 3 of the Order (implementation of which falls to the New York City Department of Correction). In addition, City Defendants request that the Court deny and

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<sup>1</sup> The City Defendants are the City of New York ("City") on behalf of its mayoral agency, the New York City Department of Correction ("DOC"), the New York City Board of Education ("BOE") now known as the New York City Department of Education ("DOE"), and a number of former DOC officials and the former members of BOE's board, all sued in their official capacity. These defendants are collectively referred to as the "City Defendants."

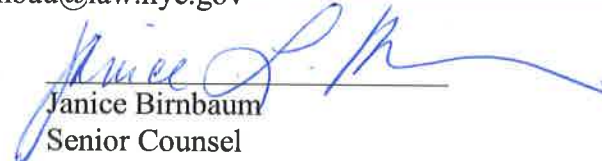
overrule Plaintiffs' objections to the Special Master's Second and Third Reports (Docket No. 284).

**PLEASE TAKE FURTHER NOTICE** that pursuant to Local Civil Rule 6.1(b)(2) and (3) of the United States District Court for the Southern District of New York, any opposing affidavits and/or answering memoranda shall be served within fourteen days after service of City Defendants' moving papers, and any reply affidavits and/or memoranda of law shall be served within seven days after service of the answering papers.

Dated: New York, New York  
December 18, 2018

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By:

  
Janice Birnbaum  
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